

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA**

In re

**FILING, SIGNING, AND VERIFYING
DOCUMENTS BY ELECTRONIC
MEANS**

**AMENDED
GENERAL ORDER 02-01**

WHEREAS Federal Rule of Civil Procedure 83 and Federal Rules of Bankruptcy Procedure (F.R.B.P.) 5005(a)(2), 7005(e), and 9029 authorize courts to establish practices and procedures for the filing, signing, and verification of documents by electronic means; and

WHEREAS the Court issued General Order 02-01 regarding the filing, signing, and verification of documents by electronic means using the Court's *eFile* system; and

WHEREAS the Court now wishes to amend General Order 02-01 to modify paragraph 9 and to add new paragraphs 14, 15, and 16;

IT IS HEREBY ORDERED that:

1. Certain documents as designated by the Clerk of Court may be filed, signed, or verified by electronic means using the Court's electronic filing system.

2. A document filed using the Court's electronic filing system constitutes a written document or written paper for the purpose of applying the F.R.B.P., the Federal Rules of Civil Procedure made applicable by the F.R.B.P., § 107 of the Bankruptcy Code, and the Court's Local Bankruptcy Rules (L.B.R.).

1 3. In addition to the other records of the Court, electronically filed documents are
2 designated as and shall constitute the official record of the Court.

3 4. In order to use the Court's electronic filing system to file documents
4 electronically, users must first register and obtain a log-in user name and password issued by the
5 Clerk of Court. As part of the registration process, users must provide (i) an e-mail address for
6 purposes of electronic notice, and (ii) an authorization and the information necessary to permit
7 the payment of applicable filing fees by electronic means as specified by the Court. By
8 registering and receiving a log-in user name and password, the user agrees to adhere to this
9 General Order, any supplements and/or amendments thereto, and any L.B.R. regarding the filing,
10 signing, and verification of documents by electronic means that may hereafter be issued.
11 Registered users shall promptly notify the Clerk of Court of any changes in the billing or other
12 information provided during the registration process.

13 5. The use of a registered user's log-in user name and password to file a document
14 electronically shall constitute the signature of the registered user on the document being
15 electronically filed. If the registered user is an attorney, the use of the registered attorney's log-in
16 user name and password to file a document electronically shall constitute the signature of that
17 attorney on that document under F.R.B.P. 9011 and L.B.R. 1002-1(a).

18 6. It shall be the duty of the registered user to retain control of, and to protect and
19 secure the confidentiality of, his or her log-in user name and password, and to prevent their
20 disclosure to any person not authorized to utilize them. No registered user shall knowingly
21 permit or cause to permit his or her log-in user name and password to be utilized by anyone other
22 than an authorized individual empowered to act on behalf of the registered user. A registered
23 user shall immediately notify the Court in writing upon learning that the security of his or her
24 log-in user name and password has been compromised.

25 7. No person shall knowingly utilize or cause another person to utilize the log-in
26 user name and password of a registered user unless such person is an authorized member or
27 employee of the registered user's law firm or organization.

28 8. Documents that require the verified signature of a person other than the registered

1 user who is electronically filing the document shall be electronically imaged using scanning
2 technology and electronically filed in a format specified by the Clerk of Court. The party making
3 the electronic filing shall maintain the executed originals of such documents for a period of five
4 years after the closing of the case in which the documents are filed, and shall make the executed
5 originals available for review upon request of the Court or other parties.

6 9. Whenever a document is submitted for filing using the Court's electronic filing
7 system, the Clerk of Court shall electronically notify the filing party of the acceptance or
8 rejection of the filing. If the notice confirms the acceptance of the filing, the notice shall contain
9 a hyperlink to an electronic copy of the filed document, and the document shall be deemed filed
10 on the date and at the time set forth on the filed document. A notice confirming the acceptance
11 of the filing shall also serve as confirmation that the document has been entered on the docket
12 kept by the Clerk under F.R.B.P. 5003.

13 10. Requirements to file one or more copies along with the original document shall
14 not apply to electronically filed documents.

15 11. The request for and receipt of a log-in user name and password from the Court
16 shall constitute an agreement to receive documents by electronic transmission.

17 12. The party filing the document using the Court's electronic filing system shall
18 serve the document on other parties as required by the F.R.B.P. and L.B.R.

19 13. Any order filed electronically by the judge presiding over the matter and therefore
20 without the judge's original signature shall have the same force and effect as if the judge had
21 affixed his or her signature to a paper copy of the order and such order had been entered on the
22 docket in a conventional manner.

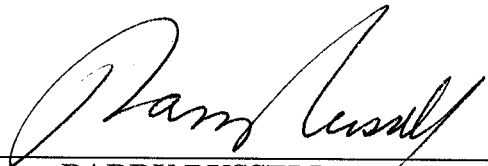
23 14. Copies of documents that have been filed electronically which the Court is
24 required to transmit to the United States Trustee shall be electronically transmitted to the United
25 States Trustee.

26 15. For motions, complaints or applications that have been electronically filed with
27 the Clerk of Court, L.B.R. 9021-1(a)(1)(B) is hereby modified to allow proposed orders or
28 judgments also to be lodged electronically with the Clerk of Court anytime after filing and prior

1 to the hearing on the underlying matter.

2 16. For proposed orders or judgments that have been electronically lodged with the
3 Clerk of Court, L.B.R. 9021-1(a)(1)(D) is hereby modified to eliminate the need to submit copies
4 of the proposed order or judgment and stamped, addressed envelopes for all parties entitled to
5 notice of the entry of the order or judgment.

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7 DATED: 5/12/03

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9 **BARRY RUSSELL**
10 Chief Judge, United States Bankruptcy Court
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